HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 4805 of 2007

Dated 23rd April, 2007

Between

Narasimha Nakkararanti

…Petitioner

and

Government of Andhra Pradesh, rep. By its PrincipalSecretary, Medical & Health Family Welfare Department, Secretariat, Hyderabad, and, ors.

…Respondent.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 4805 of 2007

ORDER:

In this Writ Petition, the petitioner has questioned the action of the respondents in not properly evaluating his answer scripts in the subject of Amraz-E-Ain (ENT) paper A & B.

The petitioner is a student of Bachelor of Unani Medicine and Surgery course (BUMS) final year. He appeared for the final year examinations held in October/November, 2006 in all the subjects of the final year course. It is stated that he had passed in all the subjects in first class, except in the subject, by name, Amraz-E-Ain (ENT) paper A & B, wherein he was declared failed. Then he applied for recounting in

the failed subject on 6-2-2007 by paying necessary fee and date for recounting was fixed as 20-2-2007. It is the case of the petitioner that during recounting, it was noticed that for several answers written by the petitioner in the said subject, initially marks were awarded and thereafter they were struck off and reduced marks were awarded. It is the grievance of the petitioner that evaluation is not properly done.

In view of the specific averments of the petitioner, this Court had called for the answer scripts of the petitioner and the same were produced by the learned Counsel appearing for the respondents. On scrutiny of the answer scripts of the petitioner, for every question, marks awarded initially were struck off and reduced marks were awarded. When this was asked to explain, the Registrar was addressed by the said evaluator, by name, Sri Dr. S. Ziauddin of Government Unani Medical college, Basaveshwaranagar, Bnagalore. A copy of the said explanation is placed before this Court. In the said explanation/report, it is stated by the said evaluator that '*as per my habit of reviewing the answer scripts after allotting marks, I found that the earlier awarded marks for question No. II, IV and V were more than the candidate deserve. So in all fairness, I reduced the marks to question No. II, IV and V to ten marks for each answer*". As much as the said report was placed before this Court, to clear the doubt of the petitioner, when this Court observed that a student should not be kept in dark as to why initially awarded marks were reduced, the respondents have got the answer script evaluated by another evaluator. When the matter is called to day, it is submitted by the learned Standing counsel appearing for the respondents that the answer script of the petitioner was valued by another evaluator, who had awarded higher marks than the marks awarded on the earlier

occasion. In that view of the matter, without further going into the matter, I dispose of the Writ Petition directing the respondents to issue revised marks memorandum in the subject of Amraz-E-Ain (ENT) paper A & B basing on the marks awarded in the revised evaluation.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 23-4-2007.
Msnr.